
DIGEST

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Geymann

HB No. 203

Abstract: Requires legislative approval for a state official or employee to receive compensation in excess of 120% of the salary authorized by law for the governor. Provides procedures for approval. Provides exceptions.

Proposed law prohibits payment of compensation to a state official or employee that exceeds 120% of the salary established by law for the governor, unless such compensation is approved by the legislature. Provides that legislative approval may be granted only by adoption of a concurrent resolution listing the particular position, its budget unit, and the amount and type of compensation approved for such position or by inclusion of such approval and information in the General Appropriation Act. Specifies that approval is for one fiscal year only and payment of such compensation in a subsequent fiscal year requires approval for that fiscal year. Present law (R.S. 36:10) provides that the governor's salary is \$130,000. (120% of \$130,000 = \$156,000)

Proposed law provides definitions:

- (1) "Compensation" means any thing of economic value which is paid, loaned, granted, given, donated, or transferred or to be paid, loaned, granted, given, donated, or transferred for or in consideration of personal services to a state official or employee, including but not limited to salary and any housing allowance, travel or car allowance, expense allowance, or any other similar payment. Does not include any salary supplement or other amount paid to a person from nonpublic funds that is not otherwise prohibited by law.
- (2) "State official or employee" means a person who holds office or employment with a department, agency, office, or other unit or official of the executive branch of state government. Does not include a state official or employee whose compensation is fixed by law. Does not include a person in the classified state service. Does not include a person in the unclassified service whose position is one of the following: Professor, Assistant Professor, Associate Professor, Physicist, Physician I through Physician V, Health Services Physician, Psychiatrist, Anesthetist, Head Coach, Assistant Head Coach, Assistant Coach, or Coach.

Proposed law provides that approval is not required for compensation in effect on June 30, 2011, that exceeds 120% of the governor's salary; however, specifies that any increase in such compensation after June 30, 2011, shall require such approval.

Proposed law provides for compensation approval and addition of excepted positions when the legislature is not in session as follows:

- (1) Authorizes the Joint Legislative Committee on the Budget to approve compensation for a person appointed to a position as a state official or employee when the legislature is not in session whose compensation exceeds the proposed law limit and has not been approved by the legislature in accordance with proposed law, but such approval is effective only for the remainder of the fiscal year.
- (2) Authorizes the Joint Legislative Committee on the Budget to except additional positions from legislative approval, but such exceptions shall be effective only for the then current fiscal year unless added by law.

Effective July 1, 2011.

(Adds R.S. 39:85.1)